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**July 11, 2006**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
Neil Cashman  
Marty Lehto

Application No.: 10/568,729

Filing Date: February 17, 2006

For: Epitope Protection Assay and Method For  
Detecting Protein Conformations

(Attorney Docket No: P31,382 USA)

Group Art Unit: N.Y.A.

Examiner: N.Y.A.

Confirmation No: 7149

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, along with any other papers indicated as being enclosed, is being deposited with the United States Postal Services, as first class mail, postage prepaid, in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 11, 2006.

  
Janet M. Karrmann

Mail Stop: Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

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**PURSUANT TO 37 C.F.R. §1.97(b) (3)**

Sir:

It is requested respectfully that the information identified on the enclosed Form PTO-1449 (Modified) be made of record and considered with respect to the above-referenced patent application. A copy of each item of information identified on the Form and required by 37 C.F.R. 1.98(a)(2) is enclosed. The Examiner is requested to indicate that each item on the

enclosed Form PTO-1449 (Modified) has been considered by initialing and dating the enclosed Form and returning a copy of same to the undersigned.

Identification of information on the attached Form, or in this statement, is not an admission that such information is prior art to the invention claimed in the present application or that such information is in an analogous art area.

This Information Disclosure Statement is filed before a first Office Action on the merits. However, if the first Office Action happens to cross in the mail with the submission of the Information Disclosure Statement, the Patent Office is hereby authorized to charge the amount of \$180.00 pursuant to the fee required under 37 CFR 1.17(p) to Deposit Account Number 19-5425. A copy of this authorization is enclosed for charging purposes should it be necessary to charge the above account.

Respectfully submitted,



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Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTQ-1C

**Complete if Known**

**(Use as many sheets as necessary)**

Sheet	1	of	2
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<b>Application No.</b>	10/568,729
<b>International Filing Date</b>	August 20, 2004
<b>First Named Inventor</b>	Neil Cashman
<b>Art Unit</b>	N.Y.A.
<b>Examiner Name</b>	N.Y.A.
<b>Attorney Docket Number</b>	P31,382 USA

Confirmation No. 7149

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application No.	10/568,729
International Filing Date	August 20, 2004
First Named Inventor	Neil Cashman
Art Unit	N.Y.A.
Examiner Name	N.Y.A.
Attorney Docket Number	P31,382 USA
Confirmation No.	7149

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	BOLTON et al. (July 1991), Molecular location of a species-specific epitope on the hamster scrapie agent protein, <i>J of Virology</i> , 65(7):3667-3675.	
	2	SAFAR et al. (November 2002), Measuring prions causing bovine spongiform encephalopathy or chronic wasting disease by immunoassays and transgenic mice, <i>Nat. Biotechnol.</i> , 20(11):1147-1150.	
	3	PARAMITHIOTIS et al. (July 2003), A prion protein epitope selective for the pathologically misfolded conformation, <i>Nat. Med.</i> , 9(7):893-899.	
	4	SOTO C. (October 2004), Diagnosing prion diseases: needs, challenges and hopes, <i>Nature Rev Microbiol.</i> , 2(10):809-819.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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